

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and is respectfully requested. Claims 1-11 are pending, Claims 1, 8, 9 and 11 having been amended by way of the present amendment. No new matter is been added.

In the outstanding Office Action, Claims 9 and 11 were rejected under 35 U.S.C. § 101; Claims 1, 3, 5-6, 8-9 and 11 were rejected as being unpatentable over Kavacheri et al. (U.S. Patent Publication 2004/0030746, hereinafter “Kavacheri”); in view of Blewett et al. (U.S. Patent No. 7,131,141, hereinafter “Blewett”); in view of Cho (U.S. Patent No. 6,922,728, hereinafter “Cho”) in further view of Official Notice; Claim 2 is rejected as being unpatentable over Kavacheri, Blewett, Cho and in further view of Ogle et al. (U.S. Patent No. 6,052,736, hereinafter “Ogle”). Claim 4 was rejected as being unpatentable over Kavacheri, Blewett, Cho and in further view of Beck (U.S. Patent No. 6,671,273); Claim 7 was rejected as being unpatentable over Kavacheri, Blewett, Cho and in further view of Winkler (U.S. Patent Publication No. 2003/0070100); and Claim 10 was rejected as being unpatentable over Kavacheri, Blewett and Cho and in further view of Koyanagi et al. (U.S. Patent Publication No. 2001/0013067, hereinafter “Koyanagi”).

In reply, Claim 9 has been amended to define a “non-transitory” computer program product. Claim 11 has further been amended to include a processor that is programmed to judge whether the detected network is actually changed, consistent with 35 U.S.C. § 101.

Claim 1 has been amended to among other things, define an information processing apparatus that includes means for detecting a first phase connection to a detected network, and means for judging whether the detected network is actually changed. The claimed information processing apparatus also includes means for determining whether the managing means manages a managed profile corresponding to the detected network when the means for

judging judges that the detected network has actually changed. As was previously claimed, the information processing apparatus includes means for automatically establishing a second phase connection to the detected network based on the managed profile if the determination means determines that the managing means manages the managed profile corresponding to the detected network. The establishing means also includes a switcher configured to switch access to the detected network using the first phase connection and the second phase connection when a predetermined condition is determined to exist. The switcher includes an icon display mechanism configured to produce an icon on a display that notifies a user that the switcher is in an active process.

Non-limiting support is found in the present specification for example at [0114], which describes a process in step S76 that explains that a change to the network is detected in a prior step. Moreover this passage explains that “the connection to the network may be repeatedly made or broken. A change to the network may be erratically detected during such an unstable connection period, although the network is not changed in fact (with the same network connected in an on and off fashion)”.

Also, paragraphs [0115]-[0116] explain that the process in step S76 is performed to determine whether or not the network has actually been changed and the step S76 is taken if the processor 94 determines at step S72 that no gateway is present. Thus when a local network unconnected to an external network needs no gateway 1 the processor may determine that no gateway is present. Accordingly, it is respectfully submitted that no new matter is added.

The outstanding Office Action primarily relies on Kavacheri for its description at [0097], for determining whether the managing means manages a managed entry corresponding to the detected network when the detecting means has detected the first phase connection to the detected network. This language has been removed from amended Claim 1,

and a different tact has been taken in the claim which is believed to avoid Kavacheri and the other asserted prior art. In particular, Claim 1 has been amended to include means for judging whether the detected network is actually changed and the means for determining determines whether the managing means manages a managed profile corresponding to the detected network when the means for judging judges that the detected network has actually changed. An advantage of this approach is that it avoids problems of the conventional technologies where automatic connections may be established without user intervention. Moreover, the means for automatically establishing establishes a second phase connection to the detected network based on the managed profile if the determination means determines that the managed means manages the managed profile corresponding to the detected network.

In the apparatus of Claim 1, the apparatus judges whether the detected network is actually changed and then the determination means determines whether the managing means manages a managed profile corresponding to the detected network when the means for judging judges that the detected network has actually changed. In this way, a user is not inconveniently bothered by changes in the network, that are inconsistent with the managed profile that are managed by the managing means for managing settings for connectable networks as profiles on a network by network basis.

Kavacheri is silent with regard to the user of the means for judging and the determination means, as claimed, that determines whether the managing means manages a managed profile corresponding to the detected network when the means for judging judges that the detected network is actually changed.

It is respectfully submitted that the secondary references of Blewett, Cho and Official Notice do not cure this deficiency with regard to Kavacheri in view of amended Claim 1. Accordingly, it is respectfully submitted that no combination of Kavacheri, Blewett, Cho and

Official Notice, include all of the features of amended Claim 1. As such it is respectfully submitted that amended Claim 1 patentably defines over the asserted prior art.

Although of differing statutory class and/or scope it is respectfully submitted that Claims 3, 5-6, 8-9 and 11 also patentably define over the asserted prior art for substantially the same reasons discussed above with regard to amended Claim 1. Each of Claims 2, 4, 7 and 10 are rejected on similar grounds, with the addition of another prior art reference. However these dependent claims are believed to also patentably define over the asserted prior art including the added reference, as not all the prior art discloses all the features of the presently amended independent claims from which the respective dependent claims are based. As such it is respectfully submitted that Claims 2, 4, 7 and 10 also patentably define over the asserted prior art for at least the same reasons discussed above with regard to the independent claims from which they depend.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1-11, as amended, are statutory and patentably distinguishing over the asserted prior art. The present application is therefore believed to be in condition for formal allowance and early and favorable reconsideration of this application is therefore requested.

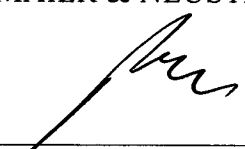
Respectfully submitted,

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